

Appendix B

Riggs, Kate (ATR)

From: Riggs, Kate (ATR)
Sent: Thursday, November 17, 2022 5:55 PM
To: Leila Siddiky; Tara.Tavernia@lw.com
Cc: Goodman, Aaron (ATR); Grace Song
Subject: RE: Errata sheet on trial transcripts

Thank you for your reply, Leila. We will provide these errata to the court reporter, copying you, and noting that Defendants disagree with the errata for Volume 1:244:3.

Best,
Kate

From: Leila Siddiky <Leila.Siddiky@Shearman.com>
Sent: Thursday, November 17, 2022 12:28 PM
To: Riggs, Kate (ATR) <Kate.Riggs@usdoj.gov>; Tara.Tavernia@lw.com
Cc: Goodman, Aaron (ATR) <Aaron.Goodman@usdoj.gov>; Grace Song <Grace.Song@Shearman.com>
Subject: [EXTERNAL] RE: Errata sheet on trial transcripts

Kate,

Thank you for sharing this additional information. We do not believe the current transcript is inconsistent with PX-438 and without a recording, we cannot assess whether that portion of Mr. Haye's answer is incorrect.

Thank you,
Leila

From: Riggs, Kate (ATR) <Kate.Riggs@usdoj.gov>
Sent: Thursday, November 17, 2022 11:19 AM
To: Tara.Tavernia@lw.com
Cc: Goodman, Aaron (ATR) <Aaron.Goodman@usdoj.gov>; Leila Siddiky <Leila.Siddiky@Shearman.com>; Grace Song <Grace.Song@Shearman.com>
Subject: RE: Errata sheet on trial transcripts

Hi Tara,

Thank you for your response. We agree with your first and third changes, but continue to believe that there is an error in Mr. Hayes's answer at Vol. 1, 244:3. The full question and answer makes clear that Mr. Hayes is talking about reductions outside of the slotted airports. See Vol 1, 243:19–244:6:

Q. And JetBlue's capacity cuts within the NEA are now made in coordination with American Airlines, right?
A. Well, not really. Not -- I mean, before anything, JetBlue had about 1,000 flights a day. We effectively cut 10 percent. So we went down to 900 flights a day. If you look at how many of those flight are in and out of slotted airports, whether they are NEA or nonNEA that we can't reduce, it's 550, so in effect, that 100 flight reduction that we did for operational reasons fell over the 450 flights that we have outside. So Boston was impacted, **Newark** was impacted, Fort Lauderdale was impacted, Orlando was impacted. But it was not directly linked to the NEA, it was linked to which airports were slotted.

This correction is consistent with what Mr. Hayes said in PX0438 at 13-14, on JetBlue's Q1 2022 Earnings call:

In terms of the growth in New York, one of the areas that we have been adjusting is Newark. **And we have some of the capacity changes that we make have reduced our flying in and out of Newark. Obviously, from a JFK and LaGuardia perspective, with just slotted airports, that is something that's much harder to do.** So we do have slightly less dependency in the New York air space following this capacity adjustment than we did before because of the changes that we're making in Newark.

With that context, please let us know if you agree with this correction to the transcript.

Best,
Kate

From: Tara.Tavernia@lw.com <Tara.Tavernia@lw.com>
Sent: Wednesday, November 16, 2022 3:08 PM
To: Riggs, Kate (ATR) <Kate.Riggs@usdoj.gov>
Cc: Goodman, Aaron (ATR) <Aaron.Goodman@usdoj.gov>; Leila.Siddiky@Shearman.com; Grace.Song@Shearman.com
Subject: [EXTERNAL] RE: Errata sheet on trial transcripts

Kate,

Thank you for sharing. We do not object to the errata in principle, but we do think there are a few changes needed based on our review:

- Volume 1:30:1 – line number is 11
- Volume 1:244:3 – not a transcription error
- Volume 15:66:8 – we believe the reference to “New York” is actually “Newark”

Best regards,
Tara

Tara Lynn Tavernia

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From: Riggs, Kate (ATR) <Kate.Riggs@usdoj.gov>
Sent: Tuesday, November 15, 2022 2:17 PM
To: Tavernia, Tara (DC) <Tara.Tavernia@lw.com>
Cc: Goodman, Aaron (ATR) <Aaron.Goodman@usdoj.gov>
Subject: Errata sheet on trial transcripts

Hi Tara,

In addition to emailing Ms. Belmont about hyperlinking, we plan to send an errata sheet with some corrections of the trial transcripts to Ms. Lopez tomorrow. Please see attached.

Best,
Kate

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